

Message Text

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43

ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 L-03 SS-20 NSC-07

 SP-03 PRS-01 DRC-01 /093 W

 126960

P 201354Z AUG 74

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 1632

LIMITED OFFICIAL USE PARIS 19816

E.O. 11652: N/A

TAGS: EAIR, XX

SUBJECT: CIVAIR - 1974 ANTIHIJACKING ACT

REF: STATE 178085

1. REFTEL INSTRUCTS ACTION ADDRESSEES TO NOTIFY
HOST GOVERNMENTS ONLY OF PROVISIONS OF SECTION
1115(B) OF FEDERAL AVIATION ACT AS AMENDED IN
COMPLIANCE WITH SPECIFIC REQUIREMENT FOR THAT
NOTIFICATION IN SUBSECTION (A) OF SECTION 1115.
HOWEVER, AS WE READ REFTEL THERE APPEARS TO BE
PROVISION FOR PRESIDENTIAL DETERMINATION UNDER
CONDITIONS SET FORTH IN SECTION 1114(A) OF FEDERAL
AVIATION ACT AS AMENDED AS WELL AS FOR DETERMINATION
BY SECRETARY OF TRANSPORTATION SUBJECT TO APPROVAL
OF SECRETARY OF STATE UNDER CONDITIONS SET FORTH
IN SECTION 1115(B).

2. QUESTION THAT THUS INEVITABLY COMES TO MIND
IS WHY IN INTERESTS OF CONSISTENCY WE DO NOT ON SAME
OCCASION APPRISE HOST GOVERNMENTS OF NEW SECTION
1114(A) EVEN THOUGH THERE MAY BE NO LEGISLATIVE
REQUIREMENT TO DO SO SIMILAR TO THAT STIPULATED BY
SECTION 1115(A). FAILURE TO DRAW HOST GOVERNMENTS'
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ATTENTION ALSO TO CONTENTS OF SECTION 1114(A)

MIGHT ALSO INCITE THEM TO QUESTION OMISSION FROM OUR
NOTIFICATION OF PROVISION OF AMENDED FEDERAL
AVIATION ACT THAT THEY MIGHT CONSIDER NO LESS
PERTINENT TO THEIR CIVIL INTERESTS THAN SECTION
1115(B).

3. WE ARE RELUCTANT TO TAKE INITIATIVE TO INCLUDE
NOTIFICATION OF SECTION 1114(A) IN OUR PROPOSED NOTE
TO FOREIGN MINISTRY IN ABSENCE
EXPLICIT INSTRUCTIONS IN REFTEL TO DO SO AND WOULD
APPRECIATE EARLY CLARIFICATION ABOVE POINTS AND
REVISED INSTRUCTIONS IF APPROPRIATE.
STONE

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Message Attributes

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Decaption Note:
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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